

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re:
Darrell Graham,

Chapter 11
Case No: 07-11433-JNF

Debtor

APPLICATION FOR APPROVAL OF
EMPLOYMENT OF SPECIAL COUNSEL

The Debtor respectfully represents:

1. He filed a voluntary petition under Chapter 11 of the Bankruptcy Code on March 12, 2007.
2. The Debtor is represented by John F. Sommerstein, Esq. as bankruptcy counsel.
3. The Debtor has selected Kirk P. Rothemich, Esq. to represent him in all real estate title claims and/or litigation arising from the premises located at 2993 Washington Street, Boston, Massachusetts, property in which the Debtor has and/or had an interest, before this Court. The Debtor seeks to Employ Attorney Kirk P. Rothemich because he has extensive experience in real estate, title contests and real estate title insurance matters such as the contested matter. The Debtor believes that Attorney Rothemich is well qualified to represent him in this proceeding.
4. The professional services Kirk P. Rothemich, Esq. is to render include:
 - (a) to consult with the Debtor and Debtor's Bankruptcy Counsel concerning the matter and administration of this case;
 - (b) to give the Debtor legal advice with respect to his duties and obligations in this matter;
 - (c) to assist the Debtor in the formulation and submission of any further issues pertaining to the matter and to formulate and gather discovery that may take place in same;
 - (d) to pursue all remedies available to the Debtor against the parties involved in the transaction(s) regarding 2993 Washington Street, Boston, Massachusetts as well as any of said parties insurers; and

- (e) to assist the Debtor in preparation for trial, should it be necessary, and to assist in any other matter relevant to this Chapter 11 case.
5. Kirk P. Rothemich represents no other entity in connection with this case, is disinterested as the term is defined in 11 USC Section 101(14), and represents or holds no interest adverse to the interest of the estate with respect to the matters on which they are to be employed.
 6. Attorney Rothemich has agreed to represent the Debtor for a legal fee based on a contingency of 33.33% of any gross funds recovered, plus all fees and costs incurred by this office on behalf of the Debtor. The Debtor has promised to pay said fees and costs. Please see Affidavit of Proposed Attorney filed immediately herewith.
 7. The Debtor believes that the proposed contingency legal fee rate is reasonable for attorneys and other persons skilled in this area of practice and/or litigation.

WHEREFORE, the Debtor prays that that his employment of the Kirk P. Rothemich as Special Counsel to represent him in all real estate title claims and/or litigation arising from the premises located at 2993 Washington Street, Boston, Massachusetts, property in which the Debtor has and/or had an interest, at the legal fee contingency rate of 33.33% of any gross funds recovered plus reimbursement for all out-of pocket fees and costs be approved.

Debtor,


Darrell Graham

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the attached Application for Approval of Employment of Special Counsel has been served upon the parties listed below who are entitled to electronic service on June 27, 2007.

/s/ John F. Sommerstein

John F. Sommerstein

Edward C. Dial on behalf of American Honda Finance edial@harrisdial.com

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Deirdre M. Keady on behalf of Central Mortgage Company mabk@harmonlaw.com

Brian T. LaManna on behalf of NovaStar Mortgage Inc blamanna@acdlaw.com

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Victor Manougian on behalf of Ocwen Loan Servicing, LLC
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